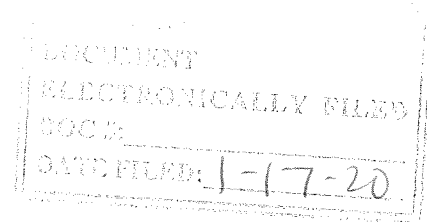


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
RONALD DAVIDSON, :
Plaintiff, :
 :
 :
v. :
 :
CHUNG SHUK LEE, SUSAN MUELLER, :
CARL J. KOENIGSMANN, and JOHN AND :
JANE DOES, :
Defendants. :
-----X

ORDER

17 CV 9820 (VB)

On November 4, 2019, the Court granted plaintiff's counsel's motion to be relieved as counsel and scheduled a conference for January 17, 2020. (Doc. #56). The Court ordered plaintiff to appear for the conference either through new counsel or in person. The Order was mailed to plaintiff at the address on the docket: 411 East 178th Street, Apt. 603, Bronx, NY 10457.

Defense counsel appeared for today's conference. Plaintiff, however, failed to appear for today's conference without excuse or explanation.

In addition, on January 16, 2020, the Court docketed a notice of motion for the Court to recuse itself and a supporting affidavit, both dated January 10, 2020. (Docs. ##60, 61). In plaintiff's affidavit, plaintiff states that when I was an associate for Townley & Updike in the early or mid 1980s, I was assigned to represent plaintiff as pro bono counsel in a Section 1983 civil rights action in this district. According to plaintiff, I met with him "once or twice," and the "meeting(s) was very strained" because plaintiff disagreed with me as to the way I was handling his case. Plaintiff states he immediately advised his prior counsel of the asserted conflict of interest, but counsel never moved for recusal. Now plaintiff believes the Court has issued several adverse rulings against plaintiff because of the Court's "personal prejudice and dislike of me." (Doc. #61 ¶ 16).

Accordingly, it is HEREBY ORDERED:

1. The Court DEFERS RULING on plaintiff's motion for the Court to recuse itself.
2. By February 7, 2020, plaintiff shall file a letter (i) explaining why he missed today's conference without excuse or explanation; and (ii) providing further detail regarding his motion for the Court to recuse itself. The Court has no recollection of the incidents described in plaintiff's affidavit. Therefore, plaintiff shall provide in the letter any details he can about the incidents, including the names of anyone involved, the docket number, the judge assigned to the case, other attorneys assigned to the case, or any other particulars that would be helpful to the Court.
3. The January 17, 2020, conference is adjourned to February 24, 2020, at 12:30 p.m.
4. **If plaintiff fails to file the above letter by February 7, 2020, or fails to appear in person or through counsel at the February 24, 2020, conference, the Court may dismiss this case for failure to prosecute or comply with Court Orders. See Fed. R. Civ. P. 41(b).**

The Clerk is directed to mail a copy of this Order to plaintiff at the address on the docket.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Dated: January 17, 2020
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge